

## §916.1

### Subpart—Grade and Size Regulation

916.356 California Nectarine Grade and Size Regulation.

AUTHORITY: 7 U.S.C. 601-674.

### Subpart—Order Regulating Handling

SOURCE: 23 FR 4616, June 25, 1958, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

#### DEFINITIONS

#### §916.1 Secretary.

*Secretary* means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

#### §916.2 Act.

*Act* means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*; 68 Stat. 906, 1047).

#### §916.3 Person.

*Person* means an individual, partnership, corporation, association, or any other business unit.

#### §916.4 Production area.

*Production area* means the State of California.

#### §916.5 Nectarines.

*Nectarines* means all varieties of *Prunus Amygdalus Nectarina*, commonly called nectarines, grown in the production area.

#### §916.6 Varieties.

*Varieties* means and includes all classifications or subdivisions of nectarines.

#### §916.7 Fiscal period.

*Fiscal period* is synonymous with fiscal year and means the 12-month period beginning on March 1 of one year and ending on the last day of February of the following year or such other pe-

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riod as the committee, with the approval of the Secretary, may prescribe.

#### §916.8 Committee.

*Committee* means the Nectarine Administrative Committee established pursuant to §916.20.

#### §916.9 Grower.

*Grower* is synonymous with producer and means any person who produces nectarines for the fresh market and who has a proprietary interest therein.

#### §916.10 Handler.

*Handler* is synonymous with shipper and means any person (except a common or contract carrier transporting nectarines owned by another person) who handles nectarines.

#### §916.11 Handle.

*Handle* and *ship* are synonymous and mean to sell, consign, deliver, or transport nectarines, or to cause nectarines to be sold, consigned, delivered, or transported, between the production area and any point outside thereof, or within the production area: *Provided*, That the term *handle* shall not include the sale of nectarines on the tree, the transportation within the production area of nectarines from the orchard where grown to a packing facility located within such area for preparation for market, or the delivery of such nectarines to such packing facility for such preparation.

#### §916.12 District.

*District* means the applicable one of the following described subdivisions of the production area or such other subdivision as may be prescribed pursuant to §916.31:

(a) *District 1* shall include the counties of Madera, Fresno, and Kings and that portion of Tulare County north of the 4th Standard Parallel south of the Mount Diablo Base Line of the General Land Office.

(b) *District 2* shall include that portion of Tulare County not included in District 1.

(c) *District 3* shall include all of the production area lying south of the northern boundaries of the counties of San Luis Obispo, Kern, and San Bernardino.